

# **EXHIBIT 7**

Deposition of Jeffrey Vijungco

In Re: HIGH-TECH EMPLOYEE ANTITRUST LITIGATION

1 UNITED STATES DISTRICT COURT  
2 NORTHERN DISTRICT OF CALIFORNIA  
3 SAN JOSE DIVISION  
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6 IN RE: HIGH-TECH EMPLOYEE )  
7 ANTITRUST LITIGATION )  
8 ) No. 11-CV-2509-LHK  
9 THIS DOCUMENT RELATES TO: )  
10 ALL ACTIONS. )  
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20 REPORTED BY: GINA V. CARBONE, CSR NO. 8249, RPR, CCRR  
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CONFIDENTIAL - ATTORNEYS' EYES ONLY  
VIDEO DEPOSITION OF JEFFREY VIJUNGO  
October 5, 2012

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In Re: HIGH-TECH EMPLOYEE ANTITRUST LITIGATION

03:10:13 1 Apple and Adobe was finished?

03:10:18 2 A. I don't know about dates. I do know Steve  
03:10:23 3 wrote a letter as relates to Thoughts on Flash in early  
03:10:28 4 2010. I don't remember a date.

03:10:31 5 Q. I'm sorry. You said Steve wrote -- I didn't  
03:10:36 6 hear what you said. Could you repeat your answer,  
03:10:37 7 please.

03:10:38 8 A. In early 2010, I know as relates to Apple,  
03:10:44 9 Steve Jobs wrote Thoughts on Flash memo.

03:10:51 10 Q. And how did that affect -- and with that memo,  
03:11:00 11 did people at Adobe think they were at war with Apple?

03:11:06 12 A. War is a funny word, and I don't know when that  
03:11:09 13 press came out that he wrote. But I think people were  
03:11:17 14 surprised to see Steve write a memo on his homepage,  
03:11:20 15 yes, about any company, let alone ourselves.

03:11:24 16 Q. So when you learned of that memo written by  
03:11:27 17 Steve Jobs, did that, at least from your -- from your  
03:11:34 18 perspective in hiring or recruiting, did you change your  
03:11:39 19 business practices with respect to whether or not it was  
03:11:43 20 permissible to cold call into Apple?

03:11:48 21 A. I don't recall when the date of the press was,  
03:11:50 22 give or take. I do know that the restriction around  
03:11:56 23 cold calling was no longer a restriction sometime in  
03:11:59 24 2010. But again, from my view, it didn't really matter.  
03:12:03 25 because it was always we recruited and hired out of

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03:12:06 1 there anyway. Just opened up, once again, an  
03:12:09 2 insignificant channel of cold calling which has been  
03:12:13 3 least effective so far, but, you know, one of ten-plus  
03:12:16 4 techniques.

03:12:17 5 Q. Who told you the policy had changed?

03:12:20 6 A. I don't recall exactly, but I'm assuming my  
03:12:23 7 boss, which was Donna Morris at the time, may have let  
03:12:26 8 me know.

03:12:27 9 Q. Did she tell you in a conversation?

03:12:33 10 A. I don't recall if it was a conversation or  
03:12:35 11 email. One or the other or both.

03:12:37 12 Q. Do you recall some kind of -- or any kind of  
03:12:39 13 communication in writing that you received at that time  
03:12:42 14 telling you that the policy had changed?

03:12:45 15 A. Around cold calling, vaguely, yes.

03:12:47 16 Q. And who -- who was the author of that  
03:12:50 17 communication?

03:12:51 18 A. I don't know who the author is, but --

03:12:54 19 Q. Was it Donna Morris?

03:12:56 20 A. I take direction from my boss, Donna Morris.

03:12:59 21 Q. Who was the CEO at the time?

03:13:02 22 A. 2010 would be Shantanu Narayen.

03:13:05 23 Q. Did he have any role in that communication, as  
03:13:07 24 far as you know?

03:13:09 25 A. I don't recall having an email from him.

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1 I, Gina V. Carbone, Certified Shorthand  
2 Reporter licensed in the State of California, License  
3 No. 8249, hereby certify that the deponent was by me  
4 first duly sworn and the foregoing testimony was  
5 reported by me and was thereafter transcribed with  
6 computer-aided transcription; that the foregoing is a  
7 full, complete, and true record of said proceedings.

8 I further certify that I am not of counsel or  
9 attorney for either of any of the parties in the  
10 foregoing proceeding and caption named or in any way  
11 interested in the outcome of the cause in said caption.

12 The dismantling, unsealing, or unbinding of  
13 the original transcript will render the reporter's  
14 certificates null and void.

15 In witness whereof, I have hereunto set my  
16 hand this day: October 11, 2012.

17    X    Reading and Signing was requested.

18            Reading and Signing was waived.

19            Reading and signing was not requested.

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GINA V. CARBONE

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CSR 8249, RPR, CCRR

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